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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/714,953

11/18/2003

Daisuke Fujita

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09/22/2008

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EXAMINER

WILLS, LAWRENCE E

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

09/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/714,953	Applicant(s) FUJITA ET AL.	
	Examiner LAWRENCE E. WILLS	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6,7,14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6,7,14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/13/07;9/27/07;10/13/04;9/2/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's election with traverse of Group II, claims 6, 7, 14, and 15 in the reply filed on 7/1/2008 is acknowledged. The traversal is on the ground(s) that claim 1 is a system claim that includes both the scanner connection apparatus of claim 6 and the scanner control apparatus of claim 8. This is not found persuasive because the combination of the network scanning system of claim 1 does not require command execution means of claim 14 and the subcombination has utility of network/scanner connectivity.

The requirement is still deemed proper and is therefore made FINAL.

2. Newly-added claims 20-26 do not read on the scanner connection apparatus of Group II because the network scanner apparatus includes operation means for displaying destinations. Group II is directed to scanner communication means and outputting means.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 6, 7, 14, 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kamiyama (US Patent 6,825,942).

Regarding claim 6 and 7, Kamiyama'942 teaches a scanner connection apparatus (number 100, Fig. 1), having a network interface (104, Fig. 1), and a scanner interface (103, Fig. 1) which is

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connected to a scanner device (101, Fig.1) which functions as a standard input/output device for a control apparatus (110, Fig. 1) connected to a network (112, Fig.1) and which outputs image data read by said scanner device to said control apparatus in accordance with a request from said control apparatus (column 4, lines 24-32) , comprising: standard input/output means (105, Fig. 1) for receiving bitmap image data generated by drawing processing in said control apparatus via said network interface (column 5, 10-15) then displaying the bitmap image data on a predetermined display unit (column 5, lines 1-2), and outputting an input into a predetermined instruction input unit from a user to said control apparatus via the network interface (column 5, lines 4-10); and scanner communication means (103, Fig. 1) for receiving an instruction command to said scanner device issued by said control apparatus via said network interface (column 5, lines 10-15) then outputting the command to said scanner interface (read the image in the designated read mode, column 5, lines 10-15), and transmitting data received via said scanner interface to said control apparatus via said network interface (column 5, lines 39-47).

Regarding claims 14 and 15, Kamiyama'942 teaches a scanner connection apparatus (100, Fig. 1) which connects a scanner device (101, Fig. 1) comprising: a network interface configured to connect to a network (104, Fig. 1); a scanner interface connected to said scanner device (notice the interface between 101 and 103, Fig. 1); command execution means (103, Fig. 1) for receiving an instruction command from a predetermined control apparatus (110, Fig. 1) on said network (column 4, lines 20-30) via said network interface (112, Fig. 1), and executing the command for said scanner interface (column 5, lines 10-15); and output means (104, Fig. 1) for outputting

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data, received from said scanner interface as a result of execution by said command execution means, to said control apparatus via said network interface (column 3, line 65-column 4, line 2).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAWRENCE E. WILLS whose telephone number is (571)270-3145. The examiner can normally be reached on Monday-Friday 9:30 AM - 6:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on 571-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

LEW
September 17, 2008